THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.NO.9049 OF 2006

DATED: 31 -07-2006

Between:

Y.Lakshmana Rao

… Petitioner

And:

The Assistant Accounts Officer, Sub ERO, APEPDCL, Sompeta, Srikakulam District and others

… Respondents

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W.P.NO.9049 OF 2006

O R D E R:

The writ petition is misconceived.

According to the petitioner he purchased the house property bearing Door.No.D-55 from one Mahalakshmi under a registered sale deed dated.26-09-1994. Mahalakshmi was having an electric service connection bearing S.C.No.1557. The petitioner claims to be in occupation of the premises since the date of purchase of the property in 1994. He also claims to be paying the electric consumption charges as per the bills issued by the respondents in the name of Mahalakshmi.

There were some disputes with regard to bills issued in the name of Mahalakshmi. The petitioner, on behalf of Mahalakshmi, disputed the bills and also paid some of the disputed bills. By the

impugned proceedings dated.06-03-2003 the 1st respondent addressed the service connection holder- Mahalakshmi (S.C.1557) stating that on the basis of the Assistant Engineer's report it would appear that abnormal units were consumed from 31-12-1993 without making payments; the said conduct constitutes a serious offence; that the conduct may be treated as mal practice; that the service connection is therefore disconnected and should Mahalakshmi desire to have reconnection she would have pay Rs.39,725/- along with reconnection charges up to the period December-2002. In all an amount of Rs.39,775/- was demanded from Mahalakshmi.

The petitioner assails the demand raised by the respondents from Mahalakshmi contending that as he is now the owner of the building he is also entitled to the service connection bearing S.C.No.1557.

The fundamental premise on the basis of which the writ petition is filed is misconceived in law and unsustainable on facts. The electric service connection is the product of an independent contract between a Transmission Company and a consumer. There is no such contractual relationship between the petitioner and the respondents. The petitioner stepped into the shoes of the Mahalakshmi insofar as the house is concerned but not in respect of Service Connection No.S.C.No.1557. In the absence of a privity of contract between the petitioner and the respondents, the petitioner has no legitimate grievance nor *locus standi* to assail any demand raised by the respondents on Mahalakshmi.

There are no merits. The writ petition is accordingly dismissed. No order as to costs.

GODA RAGHURAM,J

31TH JULY 2006
***TSNR**